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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,119	07/31/2003	Robert J. Mauceri JR.	MICR0408	2462

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EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/631,119

Applicant(s)

MAUCERI ET AL.

Examiner

Quoc A. Tran

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-22 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/10/2003.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to application: filed July 31, 2003.
2. Claims 1-22 are currently pending in this application. Claims 1, 14 and 21 are independent claims.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 1-3, 5-13 and 21-22** are rejected under 35 U.S.C. 101, because the claimed invention is directed to non-statutory subject matter. The claims invention set forth non-functional descriptive material but fails to set forth physical structures or materials comprising of hardware or a combination of hardware and software within the technological arts (i.e. a computer) to produce a "useful, concrete and tangible" result. Claims 1-3, 5-13 and 21-22 the "method" reads on a mental construct/abstract idea or at best a computer program, per se. The language such as "A method for automatically formatting a table to reflect a change in a visual appearance of a decorative panel that comprises....", does not clearly define structural elements and are not tangibly embodied on a computer readable medium, which are interpreted as software per se, abstract ideas or mental construct and not tangibly embodied on a computer readable medium or hardware.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-22** are rejected under 35 U.S.C. 103(a) as being unpatentable by Rempell – US 20040148307A1- filed Jan.24, 2003 (hereinafter Rempell ‘307), in view of Teague “DHTML and CSS for the word wide web”, Public Release May. 22, 2001- By Peach Pit Press, USA (hereinafter Teague).

In regard to independent claim 1, (b) associating the visual appearance of the decorative panel with at least one element of the table (Rempell ‘307 at pages 6-7 paragraph [0010], also see Fig. 37, discloses the interface includes a panel (item 400) the build frame (item 500), and its objects, including a menu bar (item 410), pop-up windows (item 480), the panel’s interface objects, tool bar (item 440) color and alert message interface technologies, built with HTML, Dynamic HTML (DHTML), JavaScript, and Cascading Style Sheets (CSS)), **(c) determining a revision to the at least one attribute of the at least one element of the table corresponding to the change in the visual appearance of the decorative panel** (Rempell ‘307 at page 7 paragraph [0120], also see Fig. 46-47, discloses the a visualization of an

Art Unit: 2176

implementation of a JavaScript child window, wherein a change text button style pop-up window. Screen shot FIG. 47 shows the result after the user selected the "Define the Mouse Down Text Button Style" child pop-up window), **(d) automatically applying the revision to the at least one attribute of the at least one element of the table so as to modify any other region affected by the change in the manner consistent with the change in the visual appearance of the decorative panel** (Rempell '307 at page 10 paragraph [0144], also see Fig. 37, discloses the menus and sub-menus, which are defined as a set of DHTML (dynamic hypertext markup language) objects, one for each menu choice, nested inside an DHTML object that defines the entire menu. Each menu object is given absolute positioning, while the menu items are given absolute positioning relative the menu objects origin. Both the entire menu and each choice are assigned CSS styles to define their visual appearances) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein automatically, applying the revision to the at least one attribute of the at least one element of the table, modify any other region affected by the change in the manner consistent with the change in the visual appearance and the decorative panel would have been an obvious variant of DHTML objects, nested inside an DHTML object that defines the entire menu. Each menu object is given absolute positioning, while the menu items are given absolute positioning relative the menu objects origin. Both the entire menu and each choice are assigned CSS styles to define their visual appearances to a person of ordinary skill in the art at the time the invention was made;

Rempell '307 does not explicitly teach, **(a) detecting the change in the visual appearance the visual appearance of the decorative panel**, however (Teague at Chapter 11, The Document Object Model, pages 177-202, particularly pages181-185, also see Tables 11.1

and 11.2 and 11.7, disclose method of how Even Handlers works in the DHTML, CSS and DOM environment, wherein detecting an event is applied. This process starts with the visitor's action (the mouseover) and ends with the browser's reaction (changing the graphic). In between, the browser senses the action (event), triggers a function, and uses the DOM to change the image's source to a different graphic file) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein change in visual appearance the visual appearance of the decorative panel would have been an obvious variant of the browser's reaction (changing the graphic). In between, the browser senses the action (event), triggers a function, and uses the DOM (Document Object Model) to change the image's source to a different graphic file) to a person of ordinary skill in the art at the time the invention was made.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Rempell '307 teaching, provide a panel's interface objects built with HTML, Dynamic HTML (DHTML), JavaScript, and Cascading Style Sheets (CSS), to include a means of detecting the change in the visual appearance the visual appearance of decorative panel of Teague' teaching. One of ordinary skill in the art would have been motivated to modify this combination to provide the following advantages: supported by most browsers, small file sizes, no plug-ins required, easy to learn, fast development, faster Web experience, no Java programming required (as taught by Teague at page 171).

In regard to independent claims 14 and 21, incorporate substantially similar subject matter as cited in claim 1 above and in further view of the following, and is similarly rejected along the same rationale, (a) a processor, (b) a display in communication with the processor and displaying the decorative panel; and (c) a memory in communication with the

processor and storing machine instructions that cause the processor to carry out a plurality of functions (Rempell '307 at page 1 paragraph [0001]) Examiner read the above in the broadest reasonable interpretation to the claim limitation, wherein a processor, a display, a memory would have been an obvious variant of computer system is used for building a web site using a browser-based build engine to a person of ordinary skill in the art at the time the invention was made.

In regard to dependent claims 2, 8, 11 and 13, incorporate substantially similar subject matter as cited in claim 1 above, and is similarly rejected along the same rationale.

In regard to dependent claim 3, the table comprises a **hypertext markup language (HTML) table** (as taught by Rempell '307 at page 13 paragraph [0176]).

In regard to dependent claim 4, further comprising the method of enabling the visual appearance of the decorative panel through one of: **(a) a graphical user interface (GUI)** (Rempell '307 at page 6 paragraph [0102], also see Fig. 37, shows a representation of the user interface presented by the build tool),

Rempell '307 does not explicitly teach, **(b) a document object model (DOM) using scripting language**, however (Teague at Chapter 11, The Document Object Model, pages 177-202, particularly pages 179-185, also see Tables 11.1 and 11.2 and 11.7, disclose method of how Even Handlers works in the DHTML, CSS, DOM environment, wherein Web pages created with CSS can have their properties changed while they are on the screen (that is, dynamically) through a scripting language and the DOM (table 11.1), for example VBScript is used in Internet Explorer).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Rempell '307 teaching, provide a panel's interface objects built with HTML, Dynamic HTML (DHTML), JavaScript, and Cascading Style Sheets (CSS), to include a means of detecting the change in the visual appearance the visual appearance of decorative panel of Teague' teaching. One of ordinary skill in the art would have been motivated to modify this combination to provide the following advantages: supported by most browsers, small file sizes, no plug-ins required, easy to learn, fast development, faster Web experience, no Java programming required (as taught by Teague at page 171).

In regard to dependent claim 5, wherein the change in the visual appearance of the decorative panel comprises one of resizing the decorative panel, adding a region to the decorative panel, deleting a region from the decorative panel, relocating a region within the decorative panel, resizing a region of the decorative panel, and revising a visual characteristic of a region of the decorative panel (Rempell '307 at page 4 paragraph [0072], discloses the dynamic web page resize tool).

In regard to dependent claim 6, incorporate substantially similar subject matter as cited in claim 1 above and in further view of the following, and is similarly rejected along the same rationale, defining a database... (Rempell '307 at page 1 paragraph [0008], discloses a multi-dimensional array structured database).

In regard to dependent claim 7, incorporate substantially similar subject matter as cited in claims 1-4 and 6 above and is similarly rejected along the same rationale, wherein defining a hierarchical partition tree of nodes would have been an obvious variant of document object model to a person of ordinary skill in the art at the time the invention was made.

In regard to dependent claim 9, incorporate substantially similar subject matter as cited in claims 1 and 4 above, and is similarly rejected along the same rationale.

In regard to dependent claim 10, incorporate substantially similar subject matter as cited in claim 1 above and in further view of the following, and is similarly rejected along the same rationale, **formatting of the table conforms to specifications of a standard software language...** (Rempell '307 at page 5 paragraph [0076], discloses the runtime process, which invoking the web page generation, scaling, screen resolution and size (i.e. format)).

In regard to dependent claim 12, incorporate substantially similar subject matter as cited in claim 1 above and in further view of the following, and is similarly rejected along the same rationale, **the table is no longer associated with the decorative panel if the revision is not result in a formatting of the table providing a decorative panel conforming to at least one of the plurality of patterns of region** (as taught by Rempell '307 at page 10 paragraph [0144]).

In regard to dependent claim 15, incorporate substantially similar subject matter as cited in claims 1 and 14 above, and is similarly rejected along the same rationale.

In regard to dependent claim 16, incorporate substantially similar subject matter as cited in claims 1, 6 and 14 above, and is similarly rejected along the same rationale.

In regard to dependent claim 17, incorporate substantially similar subject matter as cited in claims 1, 4 and 14 above, and is similarly rejected along the same rationale.

In regard to dependent claims 18-19, incorporate substantially similar subject matter as cited in claims 1 and 14 above, and are similarly rejected along the same rationale.

Art Unit: 2176

In regard to dependent claim 20, incorporate substantially similar subject matter as cited in claims 1, 11 and 14 above, and is similarly rejected along the same rationale.

In regard to dependent claim 22, incorporate substantially similar subject matter as cited in claims 1 and 11 above, and is similarly rejected along the same rationale.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Filner et al.	US 20040255244A1	filed	Feb. 25, 2004
Meyringer	US 20040119713A1	filed	Dec. 20, 2002

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 11AM to 7PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Herndon R Heather can be reached on (571) -272-4136. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A, Tran

Patent Examiner

Technology Center 2176

August 24, 2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
8/29/2005